



GP 1641
Atty Dkt. No. 1393.002
2302-1393
PATENT

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7/2/99 Michelle Frisel
Date Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

BARCHFELD et al.

Serial No.: 09/044,696

Group Art Unit: 1641

Filing Date: March 18, 1998

Examiner: Unassigned

Title: DETOXIFIED MUTANTS OF BACTERIAL ADP-
RIBOSYLATING TOXINS AS PARENTERAL ADJUVANTS

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is a Response to Requirement for Restriction mailed June 7, 1999. No fee is due.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 7/2/99

By: Roberta L. Robins
Roberta L. Robins
Registration No. 33,208
Attorney for Applicants

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Michelle Friel

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TOXINS AS PARENTERAL ADJUVANTS

RESPONSE TO REQUIREMENT FOR RESTRICTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Restriction Requirement dated June 7, 1999. The Examiner therein required election of one of the following groups of claims:

Group I, claims 1-14, drawn to a parenteral adjuvant composition comprising a detoxified mutant of bacterial ADP-ribosylating toxin and antigen;

Group II, claims 15-18, drawn to a method of making a parenteral adjuvant composition comprising combining a detoxified mutant of a bacterial ADP-ribosylating toxin with an antigen; and

Group III, claims 19-30, drawn to a method for immunizing a subject by parenterally administering an adjuvant comprising a detoxified mutant of bacterial ADP-ribosylating toxin and an antigen.


Applicants hereby elect to prosecute the claims of Group III, claims 19-30, without traverse. Applicants expressly reserve their right under 35 USC §121 to file one

or more divisional applications directed to the nonelected subject matter during the pendency of this application.

In response to the species election requirement, applicants elect to proceed with the *E. coli* heat labile toxins LT-K63 and LT-R72. The elected claims reading on this species are claims 19-30. It is to be understood that this election of species is for the purposes of preliminary search and examination only, and that upon allowance of a generic claim, applicants will be entitled to consideration of claims to the additional species.

Respectfully submitted,

Date: 7/2/99

By: 
Roberta L. Robins
Registration No. 33,208
Attorney for Applicants

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